1	M. Jeffery Kallis, SBN 190028 THE LAW FIRM OF <i>KALLIS</i> & ASSOCIATES p.c.			
2	River Park Tower			
3	333 W. San Carlos St., 8th Floor			
4	San Jose, California 95110 Telephone: (408) 971-4655			
	Facsimile: (408) 971-4644			
5	M J Kallis@Kallislaw.org			
6	Andrew V. Stearns, SBN 164849			
7	Steven M. Berki, SBN 245426 Gaurav D. Sharma, SBN 269123			
8	BUSTAMANTE ♦ O'HARA ♦ GAGLIASSO, PC			
9	River Park Tower 333 W. San Carlos St., 8 th Floor			
10	San Jose, California 95110			
11	Telephone: (408) 977-1911 Facsimile: (408) 977-0746			
	astearns@boglawyers.com			
12	sberki@boglawyers.com gsharma@boglawyers.com			
13	gsnarma@bogiawyers.com			
14	Attorneys for Plaintiffs			
15	UNITED STATE	ES DIST	TRICT COURT	
16	FOR THE NORTHERN DISTRICT OF CALIFORNIA			
17	FRANCISCO VALDEZ, et al.,)	Case No. 4:09-CV-00176 CW	
18	Plaintiffs,)		
19)	STIPULATION AND ORDER STAYING ACTION	
20	vs.)	For 45 days and re-setting dates at a CMC to be set after the 45 day stay	
21)		
	CITY OF SAN JOSE, et al.,)	Demand for Jury Trial	
22	Defendants.))		
23		•		
24	Whomas Plaintiffs Courselling and C	onfiden.	al I attanto the Count action - fouth his	
25	Whereas Plaintiff's Counsel has sent a Confidential Letter to the Court setting forth his			
26	current medical condition and requesting a 45	aay stay	in all proceedings, including hearings,	

Whereas, Plaintiff's Counsel has contacted the attorneys for the defendants by e-mail and/or

discovery and motions;

27

28

Case 4:09-cv-00176-KAW Document 88 Filed 01/13/12 Page 2 of 3

telephone and advised them of the need for a stay and the fact that Plaintiffs' counsel will be having 1 invasive surgery and then rehabilitation, defendants have agreed to stay all aspects of the action for 2 45 days from the 18th of January, 2012 until March 6, 2012. 3 Whereas, the medical condition of the Plaintiff's counsel will be determinable on or before 4 the 6th of March, 2012, the parties agree that if a further stay is required, for medical reason, they 5 will so stipulate at that time. 6 7 THE LAW FIRM OF KALLIS & associates D.C. DATED: January 11, 2012 8 Bv: 9 M. Jeffery Kallis 10 11 DATED: January 11, 2012 12 By: 13 14 15 DATED: January 12, 2012 16 17 By: 18 For Defendant 19

Plaintiff BUSTAMANTE O'HARA & GAGLIASSO, PC /s/ ANDREW V. STEARNS STEVEN M. BERKI Plaintiff SAN JOSE CITY ATTORNEY'S OFFICE **CLIFF GREENBERG**

Good Cause showing all current dates, hearings and activities are stayed until March 6, 2012, at which time a CMC will be scheduled to assess if additional time is needed for Plaintiff's Counsel's medical recovery and to establish new dates for all currently calendared activities.

Related cases are not stayed. Magistrate Judge Grewal will determine whether to go forward with the settlement conference on the other two cases or to continue all three.

Dated: January 13, 2012

onorable Claudia Wilken Judge of the Northern District Court

cc: PSG

20

21

22

23

24

25

26

27

28

AFFIDAVIT OF SERVICE

STATE OF CALIFORNIA, COUNTY OF Santa Clara

I, JESICA GIRON, hereby declare: I am a citizen of the United States, over 18 years of age and not a party to the within action. I am employed in the County of Santa Clara; My Business address is 333 W. San Carlos Street, San Jose CA, 95110. On January 12, 2012, I served the within: **STIPULATION AND ORDER STAYING ACTION FOR 45 DAYS AND RE-SETTING DATE AT CMC,** On all parties in this action, as addressed below, by causing a true copy thereof to be distributed as follows:

Mr. Cliff Greenberg
Office of the City Attorney of San Jose
200 E Santa Clara St.
San Jose CA 95113

[X]	BY MAIL: I am "Readily familiar" with the practice of collection and processing of
	correspondence for mail. Under that practice I would deposit the mail with the U.S.
	Postal Service at San Jose CA on the same day with postage thereon fully prepaid in
	the ordinary course of business. I am aware that on motion of the party served,
	service is presumed invalid if postal cancellation date or postage meter date is more
	than one day after date of deposit for mailing affidavit.
[]	BY HAND DELIVERY: I caused such envelope; to be hand delivered to the stated parties.
[]	VIA TELEFACSIMILE: I caused such documents to be transmitted via tele-facsimile to the
	stated parties at their respective facsimile numbers.
[]	VIA E-Mail (Electronic Transmission): I caused such documents to be delivered by electronic transmission to the persons at the electronic-email addresses indicated above.
is true	I declare under penalty of perjury under the laws of the State of California that the foregoing
12 line o	and correct.
	Executed on January 12, 2012, at San Jose CA.
	/s/
	Jesica Giron